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PETITION

OF

A NUMBER OF CITIZENS OF THE COUNTY OF COAHOMA,

IN THE

Choctaw purchase, State of Mississippi, praying the passage of a pre-emption law.

FEBRUARY 19, 1838.

Laid on the table, and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The petition of the subscribers, citizens of the county of Coahoma, in the Choctaw purchase, State of Mississippi, who present themselves before you in the attitude of memorialists, viewing our Government paternal, and we, members of the great family, believing that we have but to make known to your honorable body our wants, and to lay before you our grievances, and they will, with promptitude and despatch, be supplied and redressed. With this confidence, therefore, we proceed.

The most of us are emigrants from the north and middle States of the Union. We have become pioneers of the west, and have located ourselves in the wilds and forests of the State and county aforesaid. We are mostly poor men, and men with dependant families. We have undergone the toils and hardships of settling a wild and uncultivated country, all for the purpose of securing a home for ourselves and families; and by our indefatigable industry and perseverance, we have opened farms sufficient to make a support for our dependants. It now rests with your honorable body to say, whether we shall have those homes; whether we shall reap the fruit of our toil and labor. To say that we shall, if we give the highest price at a public sale, is virtually to say that we shall not have them at all. We are not able to compete with the capitalist, or the speculator.

We, your memorialists, believe that we have a right to claim favor and indulgence at your hands. First. Because this Government has always held out the presumption that liberal changes in the existing land laws would take place. The present Executive has gone into power as much upon this principle as any other; he was known to but very few personally, but believing him favorable to the interests of settlers, he was supported by the western people. Secondly. Inducements have certainly been held out to the people to emigrate to the wild and waste lands. Promises have been

made to them, again and again, and they have been looking with confidence and prospect to your honorable body, that something should be done for them. Would it not be a species of injustice to say, that they shall not have their lands? to say, that they are transgressors, and must be driven off? This would indeed seem hard, to give them an inchoate title, allow them to take possession, and after having cleared your forests, opened roads, improved rivers, built towns and court-houses, and have brought your country to public view, having greatly enhanced its value by their enterprise and industry, could you eject them without trial, compensation, or sympathy, houseless wanderers over a soil created for their benefit, and enriched by their industry. What, we ask, would an intelligent world say of such a course? would they not denounce it as an act of cruelty, heartless cruelty, in a Government professedly paternal? What, then, we ask, must be the views and feelings of the suffering west, should the Government continue to disregard their cries upon this momentous subject?

Thirdly. We claim your favorable legislation upon this subject on another ground, and that is on the principle of impartial legislation. When we examine your statute books, we see them teeming with laws that operate to the benefit of some portion of society; we see acts for the relief of the wealthy merchant, for the endowment of colleges; we see you supporting, at great expense, a military institution monopolized by the rich and opulent; we see you conferring extravagant salaries on those who manage cotillions; we see your ear open to every cry, and your hand stretched forth to redress every wrong; let the application be for what it may, relief from damage sustained by fire, or pensions, or for the erection of custom-houses, improving harbors, or obsolete claims, or turnpikes and canals, or what not, with promptitude and despatch you alleviate. To all this we do not object, but from those facts we deduce our right, as a part of the same great family, to claim some enactments in our favor. We do not ask for large appropriations; nor have we heretofore asked for the endowment of colleges, or turnpikes, or canals. But we now humbly ask your honorable body that a change in the system of the sales of the public lands may be so made as to confine them entirely to the cultivator of the soil, that monopolies in the public lands may be stopped. Our country is now greatly cursed by thousands of sections of our best lands being held by speculators, and destined to remain in its uncultivated and wild state, perhaps for half a century held up to the cultivator at from five to thirty dollars per acre. Unless you make a speedy change in the land system, the public domain will be entirely monopolized by a few capitalists, your land offices will be extinct, and offices will be reared up by those lords of the soil at the minimum price of from five to thirty dollars per acre, which must be given by the cultivator, not benefitting the public at all. At the ratio of the sale of public lands in 1836, the speculator will have it all in a very few years; and it is evident from official documents, that they have not, on an average, given more than from one and a half to three per cent. above the minimum price. This small fraction cannot be an inducement sufficient for any Government to protract a system so deliterious in its nature. We are apprized that, under the present system, the public lands will pass into market much more rapidly; but this is not desired by your honorable body. You wish to reduce the revenue; you have now far more than the demands of Government. A change in the land system would effect all the purpose of reducing the revenue. Confine the sale of land entirely to the cultivator, and prevent the honest laborer

from having to purchase his home at so extravagant a rate, and that too from the speculator.

In addition to a general change of the land system, we, your memorialists, would humbly request your honorable body to favor us with a pre-emption law, regarding those who are actual and *bona fide* settlers. We know that many have been the objections to a pre-emption law, because of the frauds that have been practised through them. This we freely acknowledge. But the greatest injury has been to the individuals themselves; it is with them and their God. The Government has lost but little by the many pre-emptions that have been proved; at most she has not lost more than from two to four cents per acre. This is a sum too trifling for a second thought. We know that great good has been done by the pre-emption law. Many families have homes that otherwise could never have owned them. We would inquire, is the principle a good one on which the occupant law is founded? We all say it is. Let us then hold to a principle that is good in itself, and correct bad practice. Fortify your law well; hedge up every possible ground that a designing and speculating world could occupy. We wish, further, that you would pass a law that may prevent designing and unfeeling men from laying their Indian floats upon our settlements. These floats, we have no doubt, at least many of them, have been gotten up by fraud. They have gotten into the hands of speculators under the pretext of the Indian's agent, when, by the by, the Indian has received but little value. Many of them are now located on the best Mississippi lands, and on our farms too. It is not equity to suffer them to bring their floats from the poor lands of the country, and settle them on the richest lands in the State, and thereby annoy the settler. Your honorable body, we believe, will say that it is unjust, and consequently establish a law that will secure the settler, and confine the claim by Indian float to similar rate land with that lost by the Indian.

We, moreover, wish your honorable body to take into consideration the situation of many who have lived under the former pre-emption law, but have not been able to make all the proof the law requires, owing to their land not being surveyed. They have proved their settlement and cultivation, but cannot prove any more, until you pass an act giving longer time to make the proof, which, we have no doubt, you will do. And your petitioners, as in duty bound, will ever pray, &c.

J. L. Watkins

R. C. Friar

A. Shelly

J. F. Brusier

J. B. Waller

Stephen H. Hedrick

G. H. Waller

Henry Robb

John R. Butler

George Stephenson

Richard Price

James Jones

William Shelly

E. P. Gillett

Bezal M'Onila

A. H. Cooper

Moses Green

Francis Montray

D. G. Carter

M. Huff

Wm. Dobson

Russell Dewty

Enatholus Huff

Elias Huff

Henry Weathers

Berriman Weathers

David Weathers

Christopher Weathers

Henry Thomas

Samuel McCehoe

John Ballard
 George B. Warren
 Bushrod B. Warren
 J. H. Temple
 Wm. Ritchey
 Lewis McAdooe
 John McDowan
 Bedford B. Lynn
 James Emory
 Chas. P. Robinson
 Hiram Boucher
 John Hamerick
 Thomas J. Winters
 Elias New
 John Moorefield
 Isaac Henderson
 Richard Ricketts
 Washington Durang
 D. A. Coke
 Finis E. Shelby
 D. H. Gowan
 James Slaughter
 H. J. Palmerton
 James W. Lunsford
 John Rice
 Oscar Doke
 George Herllone
 William Crump
 Saulamon Dempsy
 S. C. Mooney
 Leonard Baker
 Eli Casey
 John Casey
 Benjamin Simmons
 John Simmons
 Madison Casstell
 Washington Goucher
 John Wike
 James Johnson
 Ira A. Piper
 M. C. Stewart
 E. H. Waller
 Wm. McMellah
 Bruce Percefull

Joel Carter
 Miller Irvin
 A. G. Clements
 R. W. Bard
 John Ford
 John B. Ford
 John C. Bond
 William Bradbery
 Roderick Bethea
 J. S. Porter
 John House
 J. H. House
 Madison House
 George Kenedy
 T. J. Kenedy
 Wm. Ewing
 W. McAdooe
 Francis Russell
 David B. Allen
 William Williams
 Jonathan Cooper
 Franklin Woods
 Randolph Bradlye
 Charles A. Combs
 John McDermott
 Reesé Harlin
 Marrvill E. Suggs
 William P. Bryant
 Jon'a R. Harrison
 John R. Jones
 William Beasly
 Geo. B. Hopson
 Robert McCutcheon
 John McAnally
 Francis Montry
 James Allen
 Pitts Rice
 Jas. J. Hopson
 William Bloodworth
 Matthew Farran
 W. W. Ogleby
 Solomon McCloud
 Henry Robb
 Christian Duty